

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

COLLEEN McQUEEN,

Defendant.

ORDER AMENDING
THE JUDGMENT

05-110M-X

Defendant Colleen McQueen has written to the court asking it to rescind that part of its sentence in this case that required McQueen to be placed on Wisconsin's Sex Offender Registry. *See* dkt. 17. The Wisconsin Department of Justice has opined that because state law did not require McQueen to register, this court has the power to rescind its order. *See* March 4, 2009 letter of AAG Thomas J. Fallon, attached to dkt. 17. The government does not oppose McQueen's request because it agrees that state law does not require McQueen to register. *See* December 30, 2009 letter of Assistant U.S. Attorney Timothy M. O'Shea, dkt. 20. Accordingly, it was error for the court to order McQueen to register as a sex offender.

Therefore, pursuant to Fed. R. Crim. Pro. 36, it is ORDERED that the court's judgment in this case is AMENDED and the requirement that defendant Colleen McQueen be placed on Wisconsin's Sex Offender Registry is RESCINDED. The State of Wisconsin is directed forthwith to remove Colleen McQueen's name from the registry as having been placed there in error.

Entered this 31st day of December, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge